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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,172	01/18/2001	John M. Baron	10004909-1	7463

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 10/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/765,172	BARON, JOHN M.
Examiner	Art Unit	
Jennifer T Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 18 January 2001.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goto et al. (U.S. Patent No. 5,862,419) in view of Brisebois (U.S. Patent No. 6,369,803).

Regarding claim 1, Goto teaches a display (13) for use in controlling the execution of a functional device (1) (i.e., camera) (Fig. 1, col. 3, lines 58-61).

Goto differs from claim 1 in that he does not specifically teach display comprising an electronic control system housed in association with said display, said electronic control system including a switch platform mounted to detect a touching about a periphery of said display and to provide a plurality of discrete output signals each indicative of a portion of said periphery at which said touching is detected. However, Brisebois discloses a display (110) comprising an electronic control system housed in association with said display (110), said electronic control system including a switch platform (120) (i.e., active touch input device) mounted to detect a touching about a periphery of said display (110) and to provide a plurality of discrete output signals each indicative of a portion of said periphery at which said touching is detected (Fig. 1, see abstract and col. 3, lines 10-34). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the electronic control system as

taught by Brisebois in the system of Goto in order to support interactive communication between a user and a user environment.

Regarding claim 2, the combination of Goto and Brisebois further teaches display is a flat panel display (Fig. 1 of Goto).

Regarding claims 3 and 4, the combination of Goto and Brisebois teaches functional device comprises an optical imaging device wherein said optical imaging device includes an optical system (20) configured to project an image onto a light sensitive media (Fig. 2 of Goto, from col. 3, line 63 to 11).

Regarding claim 5, the combination of Goto and Brisebois teaches said switch platform (120) comprises pressure sensitive switches (205) (i.e., upper surface) (col. 5, lines 10-14 of Brisebois) mounted in proximity to respective edges of said display (110) and configured so that touching at a corner operates a corresponding one of said switches (205) and touching at a midpoint of one of said edges operates a corresponding pair of said switches (205).

Regarding claims 6 and 8, the combination of Goto and Brisebois teaches display (110) is mounted on said switch platform (120), said switch platform (120), which, in turn, is mounted on an enclosure, wherein said enclosure encompasses at least a portion of said functional device, and said switch platform (120) including pressure sensitive switches (205) positioned to detect pressure applied proximate respective corners of said display (110) (col. 3, lines 48-67 and col. 4, lines 49-51 of Brisebois).

Regarding claims 7 and 9, it would have been obvious to obtain a pressure sensitive switch positioned to detect pressure applied to a central portion of said display in order to allow user selects or enters the highlighted items on the display.

Regarding claim 10, the combination of Goto and Brisebois teaches display (110) (Fig. 1 of Brisebois) is a rectangular shaped liquid crystal display device (col. 3, lines 45-47).

Regarding claim 11, the combination of Goto and Brisebois teaches electronic control system (500) is configured to cause said display (510) to display a value of a control parameter and to detect an operation of said switch platform (520) to change said value (Fig. 5a of Brisebois, from col. 8, line 58 to col. 9, line 7).

Regarding claim 12, the combination of Goto and Brisebois teaches electronic control system is configured to allow a user to selectively position a cursor or said display (400) (Fig. 4a of Brisebois, col. 8, lines 1-16).

Regarding claim 13, Goto teaches a camera (1) comprising: an optical system (20) configured to project an image onto an imaging platform; a controller (101) configured to control an operation of said optical system (20); a display (13) operable to provide a visual display of parameter values used in conjunction with said optical system (20); and a switch platform (14) configured to provide control signals to said controller (101) for selecting said parameter values (Figs. 1, 2 and 6, col. 3, lines 48-67 and col. 6, lines 37-44).

Goto differs from claim 13 in that he does not specifically teach switch platform mounted to detect a touching about a periphery of display, each indicative of a portion of said periphery at which said touching is detected. However, Brisebois discloses switch platform (120) mounted to detect a touching about a periphery of said display (110), each indicative of a portion of said periphery at which said touching is detected. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the switch platform as

taught by Brisebois in the system of Goto in order to support interactive communication between a user and a user environment.

Regarding claim 14, the combination Goto and Brisebois further teaches display (110) is a flat panel display (Fig. 1 of Goto).

Regarding claim 15, the combination Goto and Brisebois teaches switch platform (120) comprises a plurality of electrical switches (205) mounted adjacent respective edges of said display (110) and a frame mounted to said switches (205), said frame surrounding said display (110), said frame and switches configured to detect pressure applied proximate respective edges of said flat panel display (Figs. 1 and 2a of Brisebois, col. 5, lines 10- 19).

Regarding claim 16, it would have been obvious to obtain a pressure sensitive switch positioned to detect pressure applied to a central portion of said display in order to allow user selects or enters the highlighted items on the display.

Regarding claim 17, the combination Goto and Brisebois teaches display is configured to sequentially display a plurality of parameters in response to respective activations of left and right portions (540) of said switch platform (520), increase and decrease a value associated with a displayed one of said parameters in response to activations of top and bottom portions (550) of said switch platform (520) (Fig. 5a of Brisebois, col. 8, line 58 to col. 9, line7).

The combination Goto and Brisebois differs from claim 17 in that it does not specifically teach a selecting a displayed one of said values in response to a touching of a central portion of flat panel display. However, it would have been obvious to obtain selecting a displayed one of said values in response to a touching of a central portion of said flat panel display in order to simplify the circuit and save space of the device.

3. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Brisebois (U.S. Patent No. 6,369,803).

Regarding claim 18, Brisebois teaches an operator interface device comprising: a display panel (510) operable to provide a visual display indicative of a parameter to be controlled and values associated with respective ones of said parameters; an array of discrete pressure sensitive electrical switches (540) positioned adjacent respective edges of said display panel (510); and a frame (520) attached to said array of pressure sensitive electrical switches (540) and configured whereby a pressure applied to a portion of said frame (520) adjacent a respective edge of said display panel (510) causes an activation of a corresponding one of said switches (Fig. 5a of Brisebois, col. 8, line 58 to col. 9, line7).

Brisebois differs from claim 18 in that he does not specifically teach a discrete electrical switch operable to select a displayed value in response to a touching of a central portion of said display panel. However, it would have been obvious to obtain discrete electrical switch operable to select a displayed value in response to a touching of a central portion of said display panel in order to simplify the circuit and save space of the device.

Regarding claim 19, Brisebois display panel includes left, right, top and bottom edges (540, 550), said frame (520) comprising corresponding left, right, top and bottom portions whereby a pressure applied to said left and right portions (540) of said frame causes respective reverse and forward scrolling through said parameters and a pressure applied to said top and bottom portions (550) of said frame causes respective forward and reverse scrolling through values associated with a selected one of said parameters (Fig. 5a-5d, col. 9, lines 54).

Regarding claim 20, Brisebois further teaches frame (520) is positioned peripheral to said display panel (510).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Debrus et al. (U.S. Patent number 5,598,527) teaches compact and ergonomic communications terminal equipped with proximity detection surfaces.

Anderson (U.S. Patent number 6,297,810) teaches programmable switch array with tactical feel.

Rosenberg et al. (U.S. Patent number 6,429,846) teaches haptic feedback for touchpads and other touch controls.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC. 20231

**Or faxed to: 703-872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding

Application/Control Number: 09/765,172  
Art Unit: 2674

Page 8

should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen  
Patent Examiner  
Art Unit 2674



RICHARD HJERPE  
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TECHNOLOGY CENTER 2600